

In the
UNITED STATES District Court
FOR the District of MASSACHUSETTS

DATE: 6-17-05

UNITED STATES AMERICA
Plaintiff

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DARRYL Young

Defendant

CRIMINAL NO. 4:05CR40027-FDS,

DEFENDANT'S Motion to Dismiss with PREJUDICE
for VIOLATION of His Rights under the INTERSTATE
AGREEMENT ON DETAINERS and for VIOLATION of His
SIXTH AMENDMENT Right to a SPEEDY TRIAL

DEFENDANT DARRYL Young, through undersigned
Counsel, respectfully moves to dismiss with
PREJUDICE the pending indictment for violation of
his rights under the INTERSTATE AGREEMENT
ON DETAINER 18 U.S.C. App. 2 MR Young also moves
to dismiss the Indictment with PREJUDICE for
violation of his Sixth Amendment right to a SPEEDY
TRIAL. the grounds for this motion are set
forth below.

PROCEDURAL BACKGROUND
ARGUMENT

A. the Indictment must be Dismissed for violation
of the INTERSTATE AGREEMENT ON DETAINERS.

The INTERSTATE AGREEMENT ON DETAINERS 18 U.S.C.
App. 2, § 2, ART III, provides,

the incident happen on Jan 17. 05 and ms young
met with the F.B.I about two days later

And told my side of the incident, the F.B.I. said OK AND LEFT, AND THAT WAS IN JAN. I WAS MOVE OUT FOR MY SAFTE. THAT'S WHAT THE L.T. TOLD MS. YOUNG AND THAT ALL THE OFFICER WANTED TO HURT ME SO I WAS MOVE TO SPRINGFIELD M.O. F.M.C. CAUSE MS. YOUNG DON'T DO WELL IN A CIVIL INSTITUTION CAUSE OF HIS METAL ILLNESS AND MR. YOUNG WAS AT DEVENS TO SEE THE PAROLE BOARD SO WHY WOULD HE DO THAT WHEN MS. YOUNG HAVE BEEN IN JAIL SINCE 91 I WAS THERE TO SEE THE BOARD TO GO HOME, BUT NOW I'M AT SPRINGFIELD M.O. F.M.C. AND NOW IT'S APRIL AND I'M ABOUT TO SEE THE PAROLE BOARD DEVS NEW IT AND THE F.B.I. NEW IT BUT I HAVE NOT HEARD FROM THE F.B.I. IN 4 MONTHS NOW ABOUT THE INCIDENT, SO I GO SEE THE PAROLE BOARD ON THE 27TH APRIL AND THEY GAVE ME PAROLE AND I NEW ABOUT THE INCIDENT (THAT'S CAUSE I DON'T HAVE BACK IN MY FILED, THEN ON MAY 19TH AFTER MY CASE MANAGER CALL DEVENS AND TOLD ME THAT I WILL BE GOING HOME IN JULY 30, 05 AND THAT'S WILL THEY PUT A DETAINER ON ME.

ARGUMENT

FOR ONE THEY GIVE ME A WARRANT FOR ARREST THAT SAID I WAS TO GO TO THE NEAREST MAGISTRATE JUDGE FORTHWITH, BUT I STILL HAVE NOT SEEN NO ONE AND THE WARRANT DON'T HAVE NO DATES ON NAMES JUST THE DEPUTY CLERK. TWO THE INDICTMENT DON'T HAVE NO CASE NUMBER ON IT. AND THEY CHARGING ME WITH U.S.C. SECTION (S) 111(A)(1) AND (B) BUT THEY CAN'T CHARGE MR. YOUNG WITH (B)

CAUSE (B) IS WHOEVER, IN THE COMMISSION OF ANY ACTS DESCRIBED IN SUBSECTION (A) USES A ~~WEAPON~~ DEADLY OR DANGEROUS WEAPON (INCLUDING A WEAPON INTENDED TO CAUSE DEATH OR DANGER,

MS YOUNG did not have a WEAPON in the incident so why is he BEING CHARGED with a WEAPON AND MS YOUNG did not have one, AND THAT WAS IN THE INCIDENT THEY GAVE ME FOR MY COPYE OF THE INCIDENT.

DARRYL YOUNG 13259-007

P.O. Box 4000

Springfield M.O. 65801-4000

F, M, C, F, P,

CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT ON JUNE, 2005 A COPYE OF THE FOREGOING MOTION WAS SERVED BY MAIL.

Darryl Young 13259-007
DARRYL YOUNG